



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF POSTSECONDARY EDUCATION

July 15, 1991

THE ASSISTANT SECRETARY

IMPORTANT

Dear Chief Executive Officer:

In this letter we discuss:

- Public Law 101-542, The Student Right-to-Know and Campus Security Act, as amended by Pub. L. 102-26, The Higher Education Technical Amendments Act of 1991.
- Revised Program Participation Agreement (PPA). (Enclosure 1; 2 copies)
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters: Primary Covered Transactions (ED Form GCS-008). (Enclosure 2; 1 copy)

The Student Right-to-Know and Campus Security Act, as amended, and signed into law November 8, 1990, contains several requirements that affect your institution's continued participation in the Title IV student financial assistance (SFA) programs authorized by the Higher Education Act of 1965, as amended.

Title II of Public Law 101-542, as amended, is the Crime Awareness and Campus Security Act of 1990. This Act requires an institution to begin to collect certain information described below, commencing August 1, 1991. It also requires that the institution prepare, publish and distribute this information to all current students and employees, and to any applicant for enrollment or employment, upon request, beginning September 1, 1992 and each year thereafter. This information is:

- (A) A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution's response to such reports.
- (B) A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
- (C) A statement of current policies concerning campus law enforcement, including--

- (i) the enforcement authority of security personnel, including their working relationship with State and local police agencies; and
 - (ii) policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.
- (D) A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.
- (E) A description of programs designed to inform students and employees about the prevention of crimes.
- (F) Statistics concerning the occurrence on campus, during the most recent calendar year, and during the two preceding calendar years for which data are available, of the following criminal offenses reported to campus security authorities or local police agencies--
- (i) murder;
 - (ii) rape;
 - (iii) robbery;
 - (iv) aggravated assault;
 - (v) burglary; and
 - (vi) motor vehicle theft.
- (G) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations whose participants are students of the institution. The off-campus student organizations are those recognized by the institution, including student organizations with off-campus housing facilities.
- (H) Statistics concerning the number of arrests for the following crimes occurring on campus:
- (i) liquor law violations;
 - (ii) drug abuse violations; and
 - (iii) weapons possessions.
- (I) A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy

regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 1213 of the Higher Education Act of 1965, as amended.

Section 1213 of the Higher Education Act of 1965, as amended, contains the drug free campuses requirements added by section 22 of the Drug Free Schools and Communities Amendments of 1989 (Public Law 101-226).

The institution will be required to submit the information collected under paragraphs (F) and (H) above to the Secretary upon his request in order to allow the Secretary to fulfill the requirement of a report to Congress in 1995 on campus crime statistics.

Title II of Public Law 101-542, as amended, also requires the Secretary to amend the Program Participation Agreement (PPA) for the Title IV Programs to contain a new certification that the institution has established a campus security policy and disclosed the information contained in paragraphs (A) through (I) above. The enclosed PPA has been revised to include the appropriate references to the statute as well as necessary modifications that reflect recent regulatory changes to the SFA programs.

Please review the pre-printed label on the PPA to determine if the information is correct. Please do not cross out or line through the label. On page two of the PPA, please mark all the SFA programs in which your institution is currently certified to participate. Should your institution wish to add or drop a program from its scope of participation, or correct the information on the preprinted label, please so indicate on a separate piece of paper or contact the Institution and Lender Certification Branch directly on (202) 708-7236. Do not request changes on the PPA itself. The PPA must be signed and dated by you as the Chief Executive Officer of the institution. Once the Secretary has executed the PPA, one of the copies will be returned to your institution for its records.

As was noted in the beginning of this letter, there is a second enclosure that is to be completed by you on behalf of the institution and returned to the Department. This second enclosure is the Certification Regarding Debarment, Suspension, and Other Responsibility Matters: Primary Covered Transactions.

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The regulations, "Nonprocurement Debarment and Suspension: Notice and Final Rule and Interim Final Rule," were published in the Federal Register on May 26, 1988, and became effective October 1, 1988. These regulations state that a person or institution which is debarred or suspended shall be excluded from all Federal financial and non-financial assistance and benefits. Please read carefully the certification and its instructions before completing the form.

The Chief Executive Officer of the institution must: (1) certify the status of the institution with respect to debarment or suspension, or (2) attach an explanation to the enclosed ED Form GCS-008, when the prospective primary is unable to certify to any of the statements on the certification.

Please mail completed copies of the Debarment and Suspension form and both copies of the PPA within thirty days of the date of this letter to the following address:

Institution and Lender Certification Branch
P.O. Box 84
Washington, D.C. 20044

Failure to return the PPAs and the Debarment and Suspension form may result in the interruption of funding to your institution. If you have any questions, please contact H.J. Raffensperger on (202) 708-9247.

Sincerely,

Michael J. Farrell
Acting Assistant Secretary